

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**SB 2336 – HB 2484**

February 23, 2018

**SUMMARY OF ORIGINAL BILL:** Removes criminal liability for possession of a firearm on posted premises for persons who have a valid handgun carry permit and immediately leave the premises after being asked to leave.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (013547):** Deletes and rewrites the proposed legislation to include persons who are permitted to carry a firearm pursuant to Tenn. Code Ann. § 39-17-131, to clarify that the violation must have been committed negligently for the exception to apply, and to provide that the exception provided in the proposed legislation will not apply to employees who are prohibited to possess firearms on their employer's premises.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- Tennessee Code Annotated § 39-17-1359 prohibits a person from carrying a firearm if proper signage is posted on the premises, and makes it a class B misdemeanor for possessing a firearm on posted property.
- Tennessee Code Annotated §§ 39-17-1315 and -1351 allow certain persons to carry a handgun at all times, including but not limited to, off duty law enforcement officers, officers of the Department of Correction, and bonded and sworn deputy sheriffs.
- The proposed legislation removes criminal liability for a hand gun carry permit holder or law enforcement officer possessing a firearm on such properties if the permit holder ceases the violation upon receiving notice and the violation was committed negligently.
- According to the Administrative Office of the Courts, there have been no convictions in the past three years under Tenn. Code Ann. § 39-17-1359.

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- There will not be a sufficient change in class B misdemeanor prosecutions for state or local government to experience any impact in revenue or expenditures.
- There will be no fiscal impact to the courts under the proposed legislation.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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